

Rec'd PCT/PTO 08 JUL 2002

PATENT #5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

REBECCA E. CAHOON ET AL.

CASE NO.: BB-1410

APPLICATION NO.: 09/807,946

GROUP ART UNIT: UNKNOWN

FILED: APRIL 20, 2001

EXAMINER: UNKNOWN

FOR: WUSCHEL (WUS) GENE HOMOLOGS

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

Assistant Commissioner for Patents
Washington, D.C. 20231

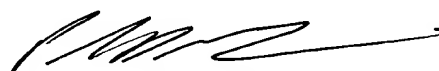
Sir:

This is in response to the Notification of Defective Response mailed June 4, 2002.

In response to the Oath and Declaration defect, attached please find three separate Form PCT/IB/306's showing the addition of the following inventors: William James Gordon-Kamm, Yummin Tao and Christopher Jay Schelonge. The Declaration currently on record reflects these additional inventors. Please charge the \$130.00 late Oath or Declaration fee to Deposit Account No. 04-1928 (E. I. du Pont de Nemours and Company).

In response to the defect concerning additional fees due, please charge the additional fees of \$2,160 to Deposit Account No. 04-1928 (E. I. du Pont de Nemours and Company).

Respectfully submitted,



PAUL D. GOLIAN
ATTORNEY FOR APPLICANTS
REGISTRATION NO. 42,591
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Dated: 27 June 2002

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PTO/SB/92 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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SOLD

Certificat of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

on July 2, 2002
Date

Signature

COLLEEN A. TAYLOR

Type or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

For Application No. 09/807,946 (Docket No. BB-1410PCT)
Response to Notification of Defective Response
Three (3) of Form PCT/IB/306
Copy of Notification of Defective Response
Post Card

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/807,946	Rebecca E Cahoon	BB1410PCT

Rizzo, Thomas M.
 E.I. Du Pont De Nemours and Company
 Legal Patent Records Center
 1007 Market Street
 Wilmington, DE 19898

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JUN 12 2002

PATENT RECORDS
CENTER

INTERNATIONAL APPLICATION NO.	
PCT/US00/26648	
IA. FILING DATE	PRIORITY DATE
09/28/2000	10/01/1999

CONFIRMATION NO. 9292

371 FORMALITIES LETTER



OC000000008215430

Date Mailed: 06/04/2002

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- U.S. Basic National Fee
- Priority Document
- Assignee Statement
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Request for Immediate Examination

Dec + Fees

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - The declaration shows additional inventors not listed on the International Application.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 20 months months from the priority date (37 CFR 1.492(e)) is required.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Additionally the following defects have been observed:

- Additional claim fees of \$2160 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$2290** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$2160**
 - **\$2160** for 135 total claims over 20.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

JOHN L ANDERSON

Telephone: (703) 308-9116

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/807,946	PCT/US00/26648	BB1410PCT

FORM PCT/DO/EO/916 (371 Formalities Notice)